

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

JAN 29 2003,

OFFICE OF  
MANAGING DIRECTOR

Michael Ellis, Comptroller  
Ponca City Publishing Company, Inc.  
Post Office Box 191  
Ponca City, OK 74602

Re: Ponca City Publishing Company  
Radio Station WBBZ-Ah4  
Fee Control No. 00000RROG-02-074  
Bill No. 02-MMB0539

Dear Mr. Ellis:


This is in response to your request for waiver of late fees or penalties associated with the fiscal year (FY) 2001 regulatory fee for Radio Station WBBZ.

**You** assert in your request that you originally paid the regulatory fee by check on September 26, 2001. In support, you have submitted a photo-copy of a check for the \$475 fee dated September 26, 2001. In your letter date-stamped **as** received by the Commission on August 23, 2002, you acknowledge that the check dated September 26, 2001 was never deposited by the FCC. **You** state further that you voided the September 26, 2001 check and sent a new check, which we have now received. We find that the facts do not support your assertion that you mailed the FY 2001 regulatory fee in sufficient time for it to be timely received by the Commission on September 26, 2001, the final date of the regulatory fee filing window for FY 2001.

The Communications Act of 1934, **as** amended, requires the Commission to **assess** a late charge penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensees responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. We find that Ponca City Publishing Company has not met its obligation to file its regulatory fee in a timely manner. We therefore deny your request for rescission of the late charge penalty for late payment of the fiscal year 2001 regulatory fee.

We hereby acknowledge receiving the **FY** 2001 regulatory fee payment in the amount of \$475.00 on September 15, 2002 and the corresponding penalty of \$118.75 on September 3, 2002 and consider this matter to be closed. If you have any questions concerning this, please contact the Revenue and Receivables Operations Group at (202) 418-1995.

Sincerely,

  
Mark A. Reger  
Chief Financial Officer

00000RR06-02-074

Ponca City Publishing Company

P. O. Box 191  
Ponca City, OK 74602

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ACCOUNT PROCESSING  
GROUP-DPT/RPT/TMT

Federal Communication Commission  
Revenue & Receivables Operations Group  
Attn: Claudette E. Pride  
Room 1A821  
445 12<sup>th</sup> Street  
Washington, DC 20554

Dear Claudette Pride,

Radio Station WBBZ is asking for waiver of any late fees or penalties associated with the annual ( 2001 ) regulatory fee. I have attached a copy of our check stub which shows that we paid this fee by check on September 26, 2001. The original check has been on our outstanding list since and must admit have not followed up to see why it was not deposited.

I should have followed up after a period of time to see why but there was always something to do. We also should have sent this check certified but failed to do so. I have voided the original and sent a new check to the FCC, Revenue & Receivables Operations, in Pittsburgh, PA.

Thank you for your consideration in this matter. WBBZ has been around for along time and has never missed sending the regulatory fee.

Sincerely,



Michael Ellis

Comptroller

Ponca City Publishing Company Inc.

RECEIVED SEP 4 2002

